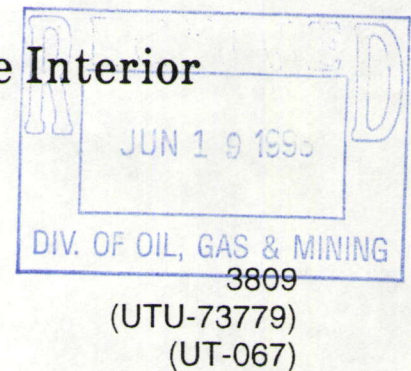




United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Moab District
Price River/San Rafael Resource Area
125 South 600 West
P.O. Box 7004
Price, Utah 84501



JUN 14 1996

Certified Mail--Return Receipt Requested
Certificate No. 382 123 796

Mr. Neal Mortensen
Western Clay Company
P.O. Box 127
Aurora, Utah 84620

NOTICE OF DECISION

A field examination conducted on June 13, 1996, of your access road and surface road on Hebe mining claim group found that the access road averages 14 feet in width. The access road as described in the accepted notice is 11.5 feet. The access road is 2.5 feet more than in the notice. Total acreage disturbed is 5.45 acres. The road takes up 3.64 acres; the alignments, 0.19 acre; and the mine, 2.62 acres. This operation is .45 acre more than is allowed in a notice.

You are in violation of 43 Code of Regulations (CFR) 3809.1-4 (1995 edition) which requires that operations disturbing more than 5 acres are required to submit a plan of operations.

You shall submit a plan of operations for this mine and access road or obtain a right-of-way on the access road within 45 days from the date of this letter. No further operations shall take place unless an interim reclamation bond is submitted to and accepted by Utah Division of Oil, Gas and Mining. We must have written proof of submittal and acceptance of any interim bond. You may request an extension for submitting the plan, but the request must be received prior to the end of the 45-day period.

You have the right to appeal to the Utah State Director, Bureau of Land Management in accordance with 43 CFR 3809.4. If you exercise this right, your appeal, accompanied by a statement of reasons and any arguments you wish to present which would justify reversal or modification of the decision, must be filed in writing within 30 days from the

date of this decision. The decision will remain in effect unless a written request for a stay is granted.

MARK E. BAILEY

Area Manager

cc: Bryant Anderson *Acting*

Emery County Planning and Zoning
P.O. Box 297

Castle Dale, Utah 84513

Kiran Bhayani

Utah Department of Environmental Health
Division of Water Quality
P.O. Box 144870

Salt Lake City, Utah 84114-4870

Tony Gallegos

Division of Oil, Gas, and Mining
355 West North Temple
3 Triad Center
Salt Lake City, Utah 84180-1203